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JUN 18 2008

**OFFICE OF PETITIONS**

In re Application of	:	
Gene E. Nacey	:	
Application No. 10/005,985	:	DECISION ON PETITION
Filed: November 12, 2001	:	PURSUANT TO
Attorney Docket Number:	:	37 C.F.R. § 1.137(B)
2556/006	:	
Title: VISUAL DISPLAY OF	:	
ROOM INFORMATION	:	

This is a decision on the petition filed September 14, 2007, pursuant to 37 C.F.R. § 1.137(b), to revive the above-identified application.

The petition under 37 C.F.R. § 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed February 16, 2007, which set a shortened statutory period for reply of three months. An after-final amendment was received on August 13, 2007, and an advisory action was mailed on August 31, 2007, along with a three-month extension of time. No further extensions of time under the provisions of 37 C.F.R. § 1.136(a) were available, and no further responses were received. Accordingly, the above-identified application became abandoned on August 17, 2007. A notice of

abandonment was mailed subsequent to the filing of this petition on November 21, 2007.

A Request for Continued Examination (RCE) along with the associated fee was received on September 10, 2007.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in 37 C.F.R. § 1.20(d)) required pursuant to paragraph (d) of this section.

With this petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay. No terminal disclaimer is required.

As such, the first three requirements of Rule 1.137(b) have been met. The fourth requirement is not applicable, as a terminal disclaimer is not required.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the submission under 37 C.F.R. § 1.114 - the amendment filed on August 13, 2007 - can be processed.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the revival has been acknowledged by the Technology Center in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Technology Center where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225<sup>1</sup>. All other inquiries concerning the status of the application should be directed to the Technology Center.

/Paul Shanowski/  
Paul Shanowski  
Senior Attorney  
Office of Petitions

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1. Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.